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4 **UNITED STATES BANKRUPTCY COURT**
5 **DISTRICT OF ARIZONA**
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CONTESTED MATTER HEARINGS

GENERAL ORDER
NO. 86

1. Pursuant to Bankruptcy Rule 9014(e), all hearings scheduled on contested matters shall be conducted without live testimony of witnesses, except as otherwise ordered by the court. If at such hearing, the court determines from oral argument, exhibits, affidavits or declarations, or the record in the case that there is a material factual dispute, the court will schedule a continued hearing at which testimony shall be obtained from witnesses.

2. Any counsel filing a motion, application, or an objection who reasonably anticipates that its resolution will require live testimony may accompany such motion, application, or objection with a motion for an evidentiary hearing, stating:

- a. How much time is anticipated to be required for receipt of all evidence, including live testimony;
- b. When the parties will be ready to present such evidence;
- c. How much time is necessary to complete all necessary formal and informal discovery;
- d. Whether a Bankruptcy Rule 7016 Scheduling Conference is appropriate or necessary before the presentation of the evidence; and
- e. Whether one or more parties who may participate at the evidentiary hearing are pro se.

3. The party requesting an evidentiary hearing shall also accompany the motion with a form of order.

4. Any response to a motion for an evidentiary hearing shall be served and filed within five (5) calendar days of service of the motion. If the motion is mailed, any party so responding shall have an additional three (3) days to respond.

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2 5. Based upon the motion for an evidentiary hearing, and any responses thereto, the court
3 will either finalize the order setting the matter for hearing or request that the parties appear for a Bankruptcy
4 Rule 7016 Scheduling Conference.

5 IT IS SO ORDERED.

6 DATED: April 7, 2003 /s/ Honorable Sarah Sharer Curley, Chief Judge

7 /s/ Honorable George B. Nielsen, Jr.

8 /s/ Honorable Redfield T. Baum

9 /s/ Honorable James M. Marlar

10 /s/ Honorable Charles G. Case II

11 /s/ Honorable Randolph J. Haines

12 /s/ Honorable Eileen W. Hollowell